

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

FLOYD HOGAN, JR., et al.,)	
)	
Plaintiffs,)	
)	CIVIL ACTION NO.
v.)	2:10cv390-MHT
)	(WO)
ALLSTATE BEVERAGE)	
COMPANY, INC., d/b/a)	
Gulf Distributing,)	
)	
Defendant.)	

ORDER

Before the court are the plaintiffs' motions to toll the statute of limitations (doc. no. 110) and for a status conference (doc. no. 133). Because of the passage of time in this case, the court requires updated information about the status of this litigation and the current areas of dispute, including whether notice was ever provided to the potential opt-in plaintiffs, before it can decide whether tolling is appropriate. The court will therefore deny the plaintiffs' motion to toll (doc. no. 110) with leave to renew. If the plaintiffs wish to pursue tolling of the statute of limitations, they may re-file an

updated motion reflecting the current progress of the litigation and any changes in the relevant law.

The court will also deny the plaintiffs' motion for a status conference (doc. no. 133). Instead, the court will order the parties to file a joint report indicating the current status of this litigation and any outstanding issues. After reviewing the parties' report, the court will decide whether to hold a status conference and how to proceed further with this matter.

Accordingly, it is ORDERED that:

(1) The plaintiffs' motion to toll (doc. no. 110) is denied with leave to renew.

(2) The plaintiffs' motion for a status conference (doc. no. 133) is denied.

(3) The parties will file a joint status report explaining the current status of this case and articulating what issues are outstanding. This report should indicate (a) the status of any settlement discussions, (b) the status of the tolling issue, and (c) whether notice has been provided to the potential

opt-in plaintiffs. The parties should file this report by 5:00 p.m. on Friday, December 11, 2020.

DONE, this the 30th day of November, 2020.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE